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*Attorneys for Defendants Nationstar Mortgage  
LLC and Federal National Mortgage Association*

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON  
PORTLAND DIVISION

AMY NGUYEN,

Plaintiffs,

v.

FEDERAL HOME LOAN MORTGAGE  
CORPORATION a.k.a. FREDDIE MAC,  
NATIONSTAR MORTGAGE LLC,  
CYPREXX SERVICES LLC,

Defendants.

Case No. 3:16-cv-00316-AC

**DEFENDANTS NATIONSTAR  
MORTGAGE LLC AND FEDERAL  
HOME LOAN MORTGAGE  
CORPORATION a.k.a FREDDIE MAC'S  
DECLARATION IN SUPPORT OF  
OPPOSITION TO PLAINTIFF'S  
MOTION FOR PARTIAL SUMMARY  
JUDGMENT**

I, FAY JANATI, declare as follows:

1. I am employed by Nationstar Mortgage LLC ("Nationstar"), in the capacity of  
se Assistant Sec. litig-Support, and make this declaration in support of Defendants

Nationstar and Federal Home Loan Mortgage Corporation a.k.a. Freddie Mac's (collectively

PAGE 1 – DEFENDANTS NATIONSTAR MORTGAGE LLC  
AND FEDERAL HOME LOAN MORTGAGE CORPORATION'S  
DECLARATION IN SUPPORT OF OPPOSITION TO PLAINTIFF'S  
MOTION FOR PARTIAL SUMMARY JUDGMENT

KILMER VOORHEES & LAURICK, P.C.  
A PROFESSIONAL CORPORATION  
732 N.W. 19<sup>TH</sup> AVENUE  
PORTLAND, OREGON 97209-1302  
(503) 224-0055 · FAX (503) 222-5290

“Defendants”) Opposition to Plaintiff’s Motion for Partial Summary Judgment in the above-captioned matter filed by Plaintiff Amy Nguyen (“Plaintiff”). The information contained in this declaration is true and correct to the best of my personal knowledge, information and belief, and if called to testify regarding the matters addressed herein, I could and would competently do so based both on my personal knowledge and the business records of Nationstar. If called as a witness, I could and would competently testify as to the matters stated herein which are based on my own personal knowledge.

2. From my general job duties as an employee of Nationstar, I am familiar with the ordinary and customary method and matter of preparation and maintenance of Nationstar’s business records. I have come to know the policies, practices and procedures of Nationstar concerning its role as servicer of mortgage loans. I have full access to the loan records of Nationstar, including the imaging repository. In the ordinary course of its business, Nationstar maintains a record of all loan contracts and agreements serviced by Nationstar (and its predecessors) on behalf of lenders, including promissory notes and associated documents pertaining to the origination of serviced loans. Nationstar also maintains records related to servicing such loans.

3. All documents and records referred to herein, or relied upon by me in preparing this declaration, are the business records of Nationstar and constitute writings taken or made in the regular or ordinary course of business, at or near the time of the act, condition or even to which they relate, be persons employed by Nationstar, and/or their predecessors and/or agents, who had a business duty to accurately and completely take, make and maintain such records and documents. These documents are trustworthy based on the source of information and method of preparation,

and all copies attached as exhibits are true copies of the records as they are kept at the place of business.

4. I have received and reviewed Nationstar's records relating to the underlying loan in this action and described below, Nationstar Loan #xxxxxxx3442. These records were made and prepared by Nationstar in the regular course of Nationstar's business, and it was Nationstar's regular course of business to keep such records. These documents are trustworthy based on the source of information and method of preparation, and all copies attached as exhibits are true copies of the records as they are kept as the place of business.

5. On or about July 25, 2006, Plaintiff Amy Nguyen ("Plaintiff") executed an Interest First Adjustable Rate Note ("Promissory Note") with Taylor, Bean & Whittaker Mortgage Corp. memorializing Plaintiff's financing of the real property located at 1813 SW Willowview Terrace, Aloha, OR 97006 (the "Property"). A true and correct copy of the Promissory Note is attached hereto as **Exhibit 1**.

6. The Promissory Note was secured by a Deed of Trust ("DOT") recorded on July 28, 2006 as Document No. 2006-090242 in the Official Records in the Office of the Recorder of Washington County, Oregon. A true and correct copy of the DOT (collectively referred to herein as the "Loan") is attached hereto as **Exhibit 2**.

7. On or about August 12, 2009, Saxon Mortgage Services, Inc. began servicing Plaintiff's Loan. Attached hereto at **Exhibit 3** is a true and correct copy of the August 14, 2009 correspondence from Saxon Mortgage Services, Inc. advising Plaintiff of the transfer of servicing rights to Saxon Mortgage Services, Inc.

8. Attached hereto as **Exhibit 4** is a true and correct copy of the payment history for Plaintiff's Loan account from August 14, 2009 to April 30, 2012 during which time Saxon Mortgage Services, Inc. serviced Plaintiff's Loan.

9. Attached hereto as **Exhibit 5** is a true and correct copy of the July 19, 2011 correspondence from Saxon Mortgage Services, Inc. to Plaintiff notifying her that, effective September 1, 2011, her new payment of principal and interest or interest only is \$976.04 and that this new payment does not include any escrow amounts.

10. In October 2011, Plaintiff and Saxon Mortgage Services, Inc. executed a settlement agreement and release ("Settlement Agreement") in order to resolve the litigation known as Amy Nguyen v. Saxon Mortgage Services, Inc., et al., Case No. 3:201-cv-033-HZ in the United States District Court for the District of Oregon. A true and correct copy of the Settlement Agreement and Release dated October 2011 is attached hereto as **Exhibit 6**.

11. A formal repayment plan ("Formal Repayment Plan") was drafted and executed by Plaintiff so as to reflect the terms of the Settlement Agreement. A true and correct copy of the Formal Repayment Plan dated September 27, 2011 is attached hereto as **Exhibit 7**.

12. On or about April 16, 2012, Ocwen Loan Servicing, LLC began servicing Plaintiff's Loan. Attached hereto at **Exhibit 8** is a true and correct copy of the March 27, 2012 correspondence from Saxon Mortgage Services, Inc. advising Plaintiff of the transfer of servicing rights to Ocwen Loan Servicing, LLC.

13. Attached hereto as **Exhibit 9** is a true and correct copy of the loan transaction history for Plaintiff's Loan account from March 4, 2012 to July 9, 2013 during which time Ocwen Loan Servicing, LLC serviced Plaintiff's Loan.

14. Nationstar began servicing the Loan on or about May 16, 2013. Attached hereto at **Exhibit 10** is a true and correct copy of the May 1, 2013 correspondence from Ocwen Loan Servicing, LLC advising Plaintiff of the transfer of servicing rights.

15. Attached hereto as **Exhibit 11** is a true and correct copy of the detail transaction history for Plaintiff's Loan account as of May 21, 2013 for the time Nationstar serviced Plaintiff's Loan.

16. When Nationstar began servicing the Loan in May 15, 2013, the Loan was in default. Attached hereto as **Exhibit 12** is a true and correct copy of the August 1, 2014 correspondence from Nationstar advising Plaintiff that she has not made a payment since December 1, 2012 and that the overdue amount then due on the Loan was \$27,447.30.

17. Attached hereto as **Exhibit 13** is a true and correct copy of the Corporate Assignment of Deed of Trust wherein Mortgage Electronic Registration Systems, Inc., as nominee for Taylor Bean and Whitaker Mortgage Corp., assigns the Deed of Trust to Nationstar Mortgage LLC. The Corporate Assignment of Deed of Trust was recorded with Washington County, Oregon at Document No. 2013-081433 on September 9, 2013.

18. During the time of servicing Plaintiff's Loan, the mailing address for sending Notice of Error/Information Requests/ Qualified Written Requests ("QWR") was P.O. Box 630348, Irving, TX 75063. Attached hereto as **Exhibit 14** is a true and correct copy of the August 19, 2014 Mortgage Loan Statement that Nationstar provided to Plaintiff. Attached hereto as **Exhibit 15** is a true and correct copy of the September 19, 2014 Mortgage Loan Statement that Nationstar provided to Plaintiff. Attached hereto as **Exhibit 16** is a true and correct copy of the January 21, 2015 Mortgage Loan Statement that Nationstar provided to Plaintiff. The applicable mailing address

Nationstar provided to Plaintiff for purposes of submitting QWRs is indicated on the aforementioned loan statements.

19. During the time of servicing Plaintiff's Loan, Nationstar has not received any purported QWR from Plaintiff at the designated mailing address for sending Notice of Error/Information Requests/ Qualified Written Requests, which were provided to Plaintiff in mortgage loan statements such as Exhibits 14, 15, and 16 attached herewith.

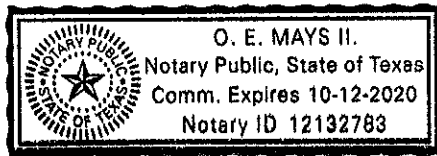
20. During all relevant times, Cyprex Services LLC was independently contracted by Nationstar to perform various tasks in association with administering to various deeds of trusts and loans serviced by Nationstar.

I declare under penalty of perjury under the laws of the United States of America and the laws of the State of Oregon that the foregoing is true and correct. Dated this 12 day of December (month), 2018 (year), at Lewisville TX (city, state).

Nationstar Mortgage LLC

Tayannah  
Title: Assistant Sec. litigation support

SUBSCRIBED AND SWORN to me before this 12<sup>th</sup> day of Dec, 2018



O. E. Mays II  
Notary Public for: TEXAS  
Residing at: Denton County Tx  
Commission Expires: 10-12-2020